

SOP Title: Freedom of Information Act (FOIA) and Privacy Act (PA)

May 17, 2005

Deputy Area/Division: Deputy Chief for Management, Management Services Division

Revision:

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1. Purpose:

To provide the Standard Operating Procedure (SOP) for a Freedom of Information Act (FOIA) or Privacy Act (PA) request and referring it for a response to the FOIA/PA Officer in the National, State, or Center office.

2. Scope:

This SOP will be followed by all NRCS personnel receiving a FOIA or PA request.

3. Outline of Procedure:

- 4.1 Definitions
- 4.2 Processing Requests
- 4.3 Denial of FOIA Requests

4. Specific Procedures:

4.1 Definitions

- A. The Freedom of Information Act (FOIA) is designed to allow ease of access to documents held by the Federal Government. Each agency is responsible for releasing information as prescribed by the FOIA.
- B. The Privacy Act (PA) protects individuals against unwarranted invasion of their privacy stemming from the collection, maintenance, use, and disclosure of personal information about them by Federal agencies. It also grants individuals the right to access their records unless covered by an exemption, and provides procedures for correcting errors in those records.

4.2 Processing Requests

FOIA requests are received from the public, private businesses, the Departmental FOIA Officer or employees. The timeframe for processing a request is 20 days, which begins when the FOIA/PA Officer receives the request unless an extension has been granted.

- A. When received, date stamp, initial the date of receipt in the bottom right hand corner of the first incoming page, and forward immediately to the appropriate FOIA/PA Officer.
- B. The National FOIA/PA Officer's address is USDA, NRCS, 5601 Sunnyside Avenue, Room 1-2184C, Beltsville, MD 20705-5460. Contact information for FOIA/PA Officers is available from the respective State or Center.

DIST: E

- C. The National FOIA/PA Officer will respond to requests with national implications whether received by a Center, State, or National Headquarters Office.
- D. The State FOIA/PA Officer will respond to requests that involve the State Office or field office.
- E. The Center FOIA/PA Officer will respond to requests that involve the Center.

4.3 Denial of FOIA Requests

- A. The decision to deny a FOIA request may be made by the National or State FOIA Officer.
- B. A written explanation must be provided when recommending the denial of a FOIA Request.

5. Technical Contact:

/s/	5/4/05
Approved By: Mary Alston National FOIA/PA Officer	Date

USDA, NRCS
5601 Sunnyside Avenue
Room 1-2184 C
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/s/	5/17/05
Approved By: Edward M. Biggers, Jr. Director, Management Services Division	Date

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